

SUMMARY OF PROPOSED LEGISLATION

Tracking No. 0064-22

Date: March 29, 2022

Re: **AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; ALLOCATING \$5,000,000 FROM THE SÍHASIN FUND FOR THE CHILCHINBETO CONVENIENCE STORE/FUEL STATION PROJECT; APPROVING THE RELATED EXPENDITURE PLAN PURSUANT TO 12 N.N.C. §2501 – §2508**

Purpose of this Legislation:

to allocate \$5,000,000 from the Síhasin Fund to the Division of Economic Development for the planning, design, and construction of the Chilchinbeto Chapter Convenience Store/Fuel Station Project.

OLC No. 22-062-1

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: 6:33pm; 03-30-22
Posting End Date: 04-04-22
Eligible for Action: 04-05-22

Resources & Development Committee
Thence
Budget & Finance Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL - Fourth Year, 2022

Introduced by:



(Prime Sponsor)

Tracking No. 0064-22

AN ACT

RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET
AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO
THE NAVAJO NATION COUNCIL; ALLOCATING \$5,000,000 FROM
THE SÍHASIN FUND FOR THE CHILCHINBETO CONVENIENCE
STORE/FUEL STATION PROJECT; APPROVING THE RELATED
EXPENDITURE PLAN PURSUANT TO 12 N.N.C. §2501 – §2508

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is a standing committee of the Navajo Nation Council with oversight authority over all 110 Navajo Nation Chapters. 2 N.N.C. §500(C); 26 N.N.C. §102.
- B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with the responsibility to “review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds.” 2 N.N.C. §301(B)(2).
- C. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council that considers all proposed final actions by the Navajo Nation Council. 2 N.N.C. §164(A)(9).
- D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).
- As such, the Council may approve appropriations from the Navajo Nation's Síhasin Fund.

1 E. 12 N.N.C. §2502, as amended by CJA-03-18, states the purpose of the Navajo Nation Síhasin
2 Fund (“Síhasin Fund”) as follows:

3 §2502 Purpose

4 A. The purposes of this Fund are to provide financial support and/or financing for:

- 5 1. The planning and development of economic development and regional
6 infrastructure supporting economic development and community
7 development, including such infrastructure as, but not limited to,
8 housing, commercial and government buildings, waterline, solid waste
9 management development, powerline projects, and transportation and
10 communication systems, within the Navajo Nation; . . .

11 B. For the Purpose in §2502(A)(1), Fund expenditures for infrastructure shall not
12 be limited by 12 N.N.C. §1310(F) or TCDCJY-77-99.

13 C. Leveraging the Fund by way of guaranteeing loans, match funding, direct
14 funding in part, and other weighted uses of the Fund, including loan financing
15 from the Fund, for the purposes in §2502(A)(1), shall be favored over direct
16 funding in whole.

17 F. The Síhasin Fund provides that “Fund Principal” shall consist of all deposits made to the
18 Síhasin Fund and that “Fund Income” shall consist of all earnings (interest, dividends, etc.)
19 generated and realized by the Fund Principal, and that Síhasin Fund Income shall be
20 deposited in, and added to, the Fund Principal until such time as a Fund Expenditure Plan is
21 duly approved. 12 N.N.C. §2504 and §2505(C).

22 G. The Síhasin Fund provides that “Fund Principal and Income shall not be expended except
23 pursuant to a Fund Expenditure Plan consistent with the purposes set forth in §2502 of this
24 Chapter and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation
25 Council.” 12 N.N.C. §2505(A).

26
27 **SECTION TWO. FINDINGS**

28 A. The Division of Economic Development (“DED”), on behalf of the Chłłchinbeto Chapter, is
29 requesting \$5,000,000 from the Síhasin Fund for the planning, design, and construction of a
30 proposed Convenience Store/Fuel Station Project (“Project”) in the Chapter. DED explains

1 its request for funds in its previous ARPA-FRF funding request, attached hereto as
2 **EXHIBIT A.**

3 B. The Chilchinbeto Chapter fully supports the Project and its Council Delegate's efforts to
4 secure funding for the Project. Resolution No. CCH-20-14-2021A, dated October 14th, 2021,
5 attached as **EXHIBIT B.**

6 C. DED has prepared a "Program Budget Summary" and a line-item breakdown of all estimated
7 Project costs. **EXHIBIT C.**

8 D. Red Mesa Fuel and Convenience Retailers, out of Farmington, New Mexico, has provided a
9 Letter of Intent regarding its intention to assist with the Project by installing modern fuel
10 dispensers and a canopy over fueling areas, constructing a self-service laundromat, and
11 operating a U.S. Post Office inside the finished convenience store. **EXHIBIT D.**

12 E. Allocation of the \$5,000,000 as requested by DED meets the criteria for Síhasin expenditures
13 because the proposed expenditure involves a "commercial building" project and "economic
14 development" in Chilchinbeto, as described in 12 N.N.C. §2502(A)(1).

15 F. Given the lack of services in the Chilchinbeto area, the Navajo Nation finds that providing
16 DED with the requested \$5,000,000 in Síhasin Funds is in the best interest of the Navajo
17 Nation and the Navajo People.

18
19 **SECTION THREE. ALLOCATING \$5,000,000 FROM THE SÍHASIN FUND FOR**
20 **THE CHILCHINBETO CONVENIENCE STORE/FUEL**
21 **STATION PROJECT; APPROVING THE RELATED**
22 **EXPENDITURE PLAN FOR THE PROJECT**

23 A. In accordance with 12 N.N.C. §2505(A), the Navajo Nation hereby approves \$5,000,000 out
24 of the Síhasin Fund for the Chilchinbeto Convenience Store/Fuel Station Project, as
25 explained in the attached EXHIBIT A and EXHIBIT C.

26 B. The \$5,000,000 in Síhasin funds approved herein may be further leveraged by bond or loan
27 financing pursuant to the Navajo Nation Bond Financing Act (12 N.N.C. §1300 *et seq.*, as
28 amended), using Síhasin Fund earnings for repayment and financing costs, upon approval of
29 the Budget and Finance Committee and upon further approval by a two-thirds (2/3) vote of
30 the full membership of the Navajo Nation Council.

1 C. The Controller shall determine whether the source of the \$5,000,000 approved herein will be
2 Síhasin Fund Principal or Síhasin Fund Income, or a combination of both.

3 D. The Navajo Nation hereby approves the Expenditure Plan for the Chł̄chinbeto Convenience
4 Store/Fuel Station Project, as set forth in the attached EXHIBIT A and EXHIBIT C.

5 E. The \$5,000,000 approved herein shall be disbursed to DED within twenty (20) business days
6 after the effective date of this Act. DED shall then arrange for use of the \$5,000,000 for the
7 planning, design, and construction of the Chł̄chinbeto Convenience Store/Fuel Station
8 Project.

9 F. The DED shall be responsible for ensuring compliance with the Project's Expenditure Plan,
10 as well as all Navajo Nation laws and regulations pertaining to the Project.

11 G. Any and all savings or unused amounts of the Síhasin funds approved herein shall be
12 immediately returned to the Síhasin Fund Principal once the Project is completed, or upon
13 the reversion deadline in Section Three (H) below.

14 H. The \$5,000,000 shall not lapse on an annual basis, which would otherwise occur pursuant to
15 12 N.N.C. §820(N). However, any Síhasin funds not spent or encumbered within twenty-
16 four (24) months of the date DED receives the \$5,000,000 shall then immediately revert to
17 the Síhasin Fund Principal, unless otherwise approved by both the Resources and
18 Development Committee and the Naabik'íyáti' Committee of the Navajo Nation Council.

19 I. The Síhasin Fund shall be reimbursed the \$5,000,000 amount approved herein, from funds
20 available to the Navajo Nation from any and all state and federal sources, including
21 Congressional appropriations under the American Rescue Plan Act of 2021 or other COVID-
22 19-related relief, so long as the Project expenditures described herein are deemed eligible
23 under such COVID-19-related or other funding sources.

24 25 **SECTION FOUR. EFFECTIVE DATE**

26 This Act and the approved Expenditure Plan for the Chł̄chinbeto Convenience Store/Fuel
27 Station Project shall become effective pursuant to 12 N.N.C. §2505.

28 29 **SECTION FIVE. SAVING CLAUSE**

30 If any portion of this Act is invalidated by the Supreme Court of the Navajo Nation, or by any

1 Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the
2 remainder of this Act shall be the law of the Navajo Nation.

Identification of parties.

NN Government Unit requesting FRF: Navajo Nation Division of Economic Development Date prepared: 9/23/2021
Indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: PO Box 663 phone/email: 928-871-6544/jtwillie@navajo-nsn.gov
Window Rock, Arizona 86515 website (if any): www.navajoeconomy.org

Form prepared by: Genevieve Keetso-Bighorse/Elaine Young phone/email: 928.871.7379 or 928.283.3013
Western RBDO & Small Business Development Dept eyoung@navajo-nsn.gov
CONTACT PERSON'S name, title and Department, Program, Office, etc. CONTACT PERSON'S info

Title & type of Project: Chilchinbeto Market / Convenient Store & Fuel Station with Deli & Laundromat

NN Government Unit's Director or Manager: Elaine Young phone & email: 928.871.7379/eyoung@navajo-nsn.gov
 Division Director (if any): JT Willie phone & email: 928.871.6544/jtwillie@navajo-nsn.gov
 Branch Chief: Paulson Chaco phone & email: 928.871.7440/paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of Economic Development on the Project and
Indicate Branch and/or Division
 the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: 5,000,000 FRF funding period: 01/01/22-09/30/25
Indicate Project starting and ending/deadline date

Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Chilchinbeto Convenient Store will be constructed using the ARPA funds in the 5,000,000 million dollars. The store, gas station, and the laundry mat will be occupied by and operator who will pay lease to the Navajo Nation. The community of Chilchinbeto be served by the new development after completion. During the Covid-19 pandemic the Chilchinbeto community was an effected area by the virus. During these uncertian time the community was isolated and didn't have a store, gas station, and laundry mat for taking care of personal amenities needed by the community members. Shopping center were miles away 25 mile to northwest and 34 mile to the southeast was the nearest store with less infected resident residing there. Communities should have access to its own resources, like now during the Covid-19 pandemic, and for the safety of the community.

Sihasin

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

Chilchinbeto is a rural area with many miles of travel to the grocery stores, gas station, and laundry mats. The convenient store will help the community boost their economy, buy food, fuel for their vehicle, home, and cooking. Employment opportunity for people living in the area. The availability of Luandry mat where people can go to wash their clothes. For those that do not has washing machine ot running water or traveler who are visiting the area. Chilchinbeto has a 75% unemployment rate and about 70% improvish rural community of 600 people.

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

From January 1, 2022 to December 31, 2025

Phase 1: Land Survey; Archaeological Survey, Environmental Assessment, Turn out Design and construction. (completed)

Phase 2: Land Survey to Utility ROW; Environmental and Archeological, infrastructure design and development. (completed)

Phase 3: Architectural and site plan designs for building and Electrical extension and design.

Phase 4: Construction of 4,000 sq. feet convenient store building; electrical line extension, Underground storage tanks installation.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

2.9 Small Business Economic Assistance (General)

2. Negative Economic Impact; 2.1 Household Assistance: Food Program - Chilchinbeto is an isolated community, located 25 to 30 miles from the closest gas stations, food stores, and laundry mats. Bringing these necessities to their community will help them in the future if there is going to be another pandemic. This area was hit hard with uncontrol spread of covid -19. If they had a store in the community that provided to their needs the pandemic would have been eased with little effect on the community.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The operator who lease the site will be the responsible party for the maintenance and the operation of the convenient store, gas station, laundry mat.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

2.9 Small Business Economic Assistance (General)

2. Negative Economic Impact; 2.1 Household Assistance: Food Program - Chilchinbeto is an isolated community, located 25 to 30 miles from the closest gas stations, food stores, and laundry mats. Bringing these necessities to their community will help them in the future if there is going to be another pandemic. This area was hit hard with uncontrol spread of covid -19. If they had a store in the community that provided to their needs the pandemic would have been eased with little effect on the community. Chilchinbeto, DED, SBDD, and WRBDO were working on developing the area prior to the COVID-19 Pandemic. The community has about 500 members, with existing economic disparities, and plans are in place to expand the community by building a convenient store, gas station, and laundry mat. Qualifies under Navajo County, AZ and is designated as economically disadvantaged communities by HUD's "Qualified Census Tracts and Difficult Development Areas" data

This project development will increase local spending and reduce travel to border town/cities. The dollars will stay within the Navajo Nation and will provide jobs for the community of Chilchinbeto.

☐ document attached

Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

See attached proposed conceptual site plan, floor plans, survey, letter of intent from managing operator, and overall project cost estimate.

Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit
Preparer:

signature of Preparer/CONTACT PERSON

Approved by:

signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit
for Review:

signature of Branch Chief or Division Director

Print Name, Title,
Branch or Division:

print name and indicate title or position

Division of Economic Development
Indicate Branch or Division



CHILCHINBETO CHAPTER

"HOME OF THE WORLD'S LARGEST NAVAJO RUG"

P. O. BOX 1681, KAYENTA, AZ 86033, EAST HIGHWAY 160 NAVAJO RTE. 59
PHONE: (928) 697-5680/5681 • FAX (928) 697-5691 chilchinbeto@navajochapters.org

Paul Madson- PRESIDENT • Thomas Bradley-VICE PRESIDENT • Virginia White-SEC/TREA
Delbert Big- GRAZING OFFICIAL • Nathaniel Brown-COUNCIL DELEGATE

Eugene Badonie -MANAGER • Rose Gillis-ADMIN ASST • Elveda White-OFFICE ASSISTANT

EXHIBIT B



RESOLUTION OF CHILCHINBETO CHAPTER OF THE NAVAJO NATION

APPROVING TO PRIORITIZE BUILDING A CONVENIENCE STORE ALONG ROUTE 59.

Resolution # CCH-20-14-2021A

WHEREAS:

1. Pursuant to Title 26 N.N.C., Chilchinbeto Chapter is a Certified Chapter of the Navajo Nation and is delegated the authority and responsibility to promote projects which benefits the local community; and
2. Pursuant to 2 N.N.C., Section 4028 (a), the Chilchinbeto Chapter is vested with the authority to review all matters affecting the community and make appropriate recommendations to the Navajo Nation, Federal, State, and local agencies for appropriate actions; and
3. The Chilchinbeto Chapter does not have any sort of economic sustainability within the chapter boundaries, and
4. Chilchinbeto Chapter has several projects on the books, but the effort to bring the Convenience Store to the community is a priority and the Navajo Nation Economic Development must follow with due diligence as well.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Chilchinbeto Chapter hereby approve to entice an economic lift in Chilchinbeto community so with this resolution requesting Economic Development and Delegate Nate Brown to do any and all things necessary to establish a convenience store with fuel station.

CERTIFICATION

We hereby certify that the foregoing resolution was considered at a duly called meeting at Chilchinbeto Chapter, Navajo Nation, at which a quorum was present and that the same was passed by a vote of 5 in favor, 0 opposed, and 0 abstained, this 14th day of October, 2021.

Motioned By: Peter Hewey

Paul Madson
Paul Madson President

Virginia White
Virginia White, Secretary/ Treasurer

Seconded By: Eugene Bedonie

Thomas Bradley
Thomas Bradley, Vice President

Delbert Big
Delbert Big, Grazing Committee

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

| | | | | | |
|--------------------------------------|--|---|--|---------------------------------------|--|
| PART I. Business Unit No.: K - [New] | | Program Title: Western Regional Business Development Office | | Division/Branch: Economic Development | |
| Prepared By: Elaine Young | | Phone No.: 928.871.7379 | | Email Address: eyoung@navajo-nsn.gov | |

| PART II. FUNDING SOURCE(S) | | Fiscal Year / Term | Amount | % of Total | PART III. BUDGET SUMMARY | | | Fund Type Code | (A) NNC Approved Original Budget | (B) Proposed Budget | (C) Difference or Total |
|----------------------------|--|--------------------|--------------|------------|--------------------------|------------------------------|--|----------------|----------------------------------|---------------------|-------------------------|
| NN Fiscal Recovery Funds | | | 4,250,000.00 | 100% | | | | | | | |
| NN Fiscal Recovery Funds | | | 750,000.00 | 15% | 2001 | Personnel Expenses | | | | | |
| | | | | | 3000 | Travel Expenses | | | | | |
| | | | | | 3500 | Meeting Expenses | | | | | |
| | | | | | 4000 | Supplies | | | | | |
| | | | | | 5000 | Lease and Rental | | | | | |
| | | | | | 5500 | Communications and Utilities | | | | | |
| | | | | | 6000 | Repairs and Maintenance | | | | | |
| | | | | | 6500 | Contractual Services | | 4,250,000 | | | 4,250,000 |
| | | | | | 7000 | Special Transactions | | | | | |
| | | | | | 8000 | Public Assistance | | | | | |
| | | | | | 9000 | Capital Outlay | | | | | |
| | | | | | 9500 | Contingency | | | 750,000 | | 750,000 |
| | | | | | TOTAL | | | \$0.00 | 5,000,000.00 | | 5,000,000 |

| PART IV. POSITIONS AND VEHICLES | | (D) | (E) |
|---------------------------------|--|-----|-----|
| Total # of Positions Budgeted: | | | |
| Total # of Vehicles Budgeted: | | | |

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Elaine Young APPROVED BY: William Dineen
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name
Elaine Young 10-28-2021 William Dineen 10-29-2021
 Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date

PROJECT: Chilchinbeto Convenience Store/Fuel Station
NAME: Chilchinbeto Market
LOCATION: Chilchinbeto, AZ

PROJECT COST BREAKDOWN

| <u>ITEM #</u> | <u>Project Description</u> | <u>Total</u> |
|---------------|--------------------------------------|--------------|
| 1 | General Requirements | 462,993.00 |
| 2 | Quality Requirements | 23,390.00 |
| 3 | Stormwater Pollution Prevention | 34,836.00 |
| 4 | Survey | 20,550.00 |
| 5 | Concrete Reinforcement | 16,000.00 |
| 6 | Cast-In-Place Concrete | 258,700.00 |
| 7 | Polished Concrete Finishing | 20,000.00 |
| 8 | Reinforced Unit Masonry | 16,000.00 |
| 9 | Stone Veneer | 33,800.00 |
| 10 | Structural Steel, Steel Joist, Metal | 117,000.00 |
| 11 | Steel Erection | 49,500.00 |
| 12 | Rough Carpentry | 12,000.00 |
| 13 | Glass Fiber Reinforced Plastic | 3,400.00 |
| 14 | Bituminous Dampproofing | 4,800.00 |
| 15 | Thermal Insulation | 5,972.00 |
| 16 | Exterior Insulation and Finish | 38,790.00 |
| 17 | Metal Roof Panels | 10,800.00 |
| 18 | Thermoplastic Polyofin Sheet | 78,759.00 |
| 19 | Roof Accessories | 1,483.00 |
| 20 | Joint Sealant | 3,500.00 |
| 21 | Hollow Metal Doors, Frames | 23,233.00 |
| 22 | Access Doors and Panels | 1,200.00 |
| 23 | Coiling Counter Doors | 20,817.00 |
| 24 | Aluminum Framed Storefronts | 46,885.00 |
| 25 | Instill Doors, Frames, Wood | 15,000.00 |
| 26 | Gypsum Goard Assemblies | 103,283.00 |
| 27 | Tiling, resilient Sheet Flooring | 36,395.00 |
| 28 | Suspended Acoutical Ceiling | 11,765.00 |
| 29 | Painting and Coating | 33,241.00 |
| 30 | Singage | 2,100.00 |
| 31 | Metal Toilet Compartments | 3,900.00 |
| 32 | Toilet, Bath and Laundry | 5,875.00 |
| 33 | Fire Protection Specialties | 2,500.00 |
| 34 | Install Division Ten | 7,880.00 |
| 35 | Foot Grille Entrance System | 4,853.00 |
| 36 | Seating | 3,000.00 |
| 37 | Site Furnishings | 750.00 |
| 38 | Install Site Furishings | 8,997.00 |
| SUB-TOTALS | | 1,543,947.00 |

| | | | |
|----|-----------------------------------|---------------------|--|
| 39 | Plumbing Rough In | 44,000.00 | |
| 40 | Plumbing Top Out | 45,050.00 | |
| 41 | Plumbing Trim | 35,000.00 | |
| 42 | Kitchen/Laundry Hook Up | 5,000.00 | |
| 43 | LPG Gas Line | 8,500.00 | |
| 44 | Mechanical | 102,493.00 | |
| 45 | Electrical | 238,275.00 | |
| 46 | Earthwork, Site Clearing | 209,163.00 | |
| 47 | Asphalt Concrete Pavement | 182,432.00 | |
| 48 | Rip Rap | 1,888.00 | |
| 49 | Decorative Concrete Stamp | 171,169.00 | |
| 50 | Pavement Marking | 2,800.00 | |
| 51 | Water Facilities | 55,878.00 | |
| 52 | Wastewater Facilities | 362,195.00 | |
| 53 | Storm Drainage Facilities | 8,235.00 | |
| 54 | Boring | 554,800.00 | |
| 55 | Fencing | 4,325.00 | |
| 56 | LPG Tank | 142,779.00 | |
| 57 | Bond | 61,345.00 | |
| 58 | Insurance | 41,678.00 | |
| 59 | NAVAJO NATION TAX | 191,048.00 | |
| 60 | Contract Modification (Projected) | 293,091.00 | |
| | SUB-TOTALS | <u>2,761,144.00</u> | |
| | TOTAL | <u>4,305,091.00</u> | |
| | 15% Contingency | <u>645,763.65</u> | |
| | TOTAL PROJECT COST | <u>4,950,854.65</u> | |

DESERT MEADOWS CONVENIENCE STORE

DEWENTHO, ARIZONA

ISSUED FOR CONSTRUCTION

APRIL 27, 2017

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2015 ARIZONA BUILDING CODE.
2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY BONDS.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SITES.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY AS-BUILT.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EROSION.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY STORMWATER.

REVISIONS

- | NO. | DATE | DESCRIPTION |
|-----|----------|-------------------------|
| 1 | 04/27/17 | ISSUED FOR CONSTRUCTION |
| 2 | 04/27/17 | ISSUED FOR CONSTRUCTION |
| 3 | 04/27/17 | ISSUED FOR CONSTRUCTION |
| 4 | 04/27/17 | ISSUED FOR CONSTRUCTION |
| 5 | 04/27/17 | ISSUED FOR CONSTRUCTION |

DYRON MURPHY ARCHITECTS, P.C.



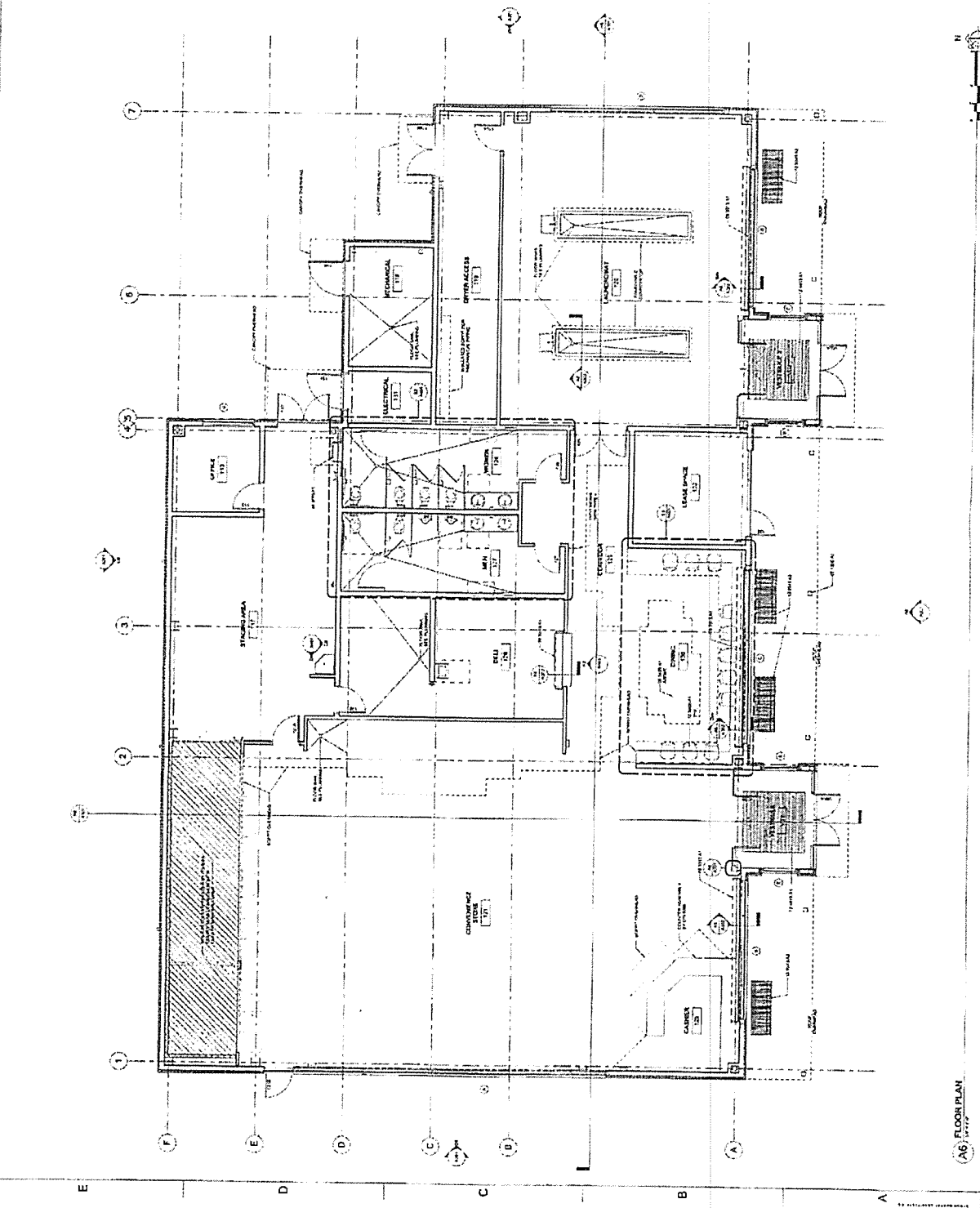
4033 Imperial Plaza #107, Mesa, Arizona 85207



FLOOR PLAN

| | |
|-------------------|----------------------------------|
| Project Name | Desert Meadows Convenience Store |
| Project Number | 1001 |
| Project Location | DeWentho, Arizona |
| Project Date | April 27, 2017 |
| Project Status | Issued for Construction |
| Project Owner | Desert Meadows Convenience Store |
| Project Architect | Dyrton Murphy Architects, P.C. |
| Project Engineer | Dyrton Murphy Architects, P.C. |
| Project Designer | Dyrton Murphy Architects, P.C. |
| Project Draftsman | Dyrton Murphy Architects, P.C. |
| Project Checker | Dyrton Murphy Architects, P.C. |
| Project Approver | Dyrton Murphy Architects, P.C. |

A101



(A6) FLOOR PLAN

RED MESA

FUEL & CONVENIENCE RETAILERS

June 30, 2021

VIA EMAIL DELIVERY eyoung@navajo-nsn.gov

Elaine Young
Small Business Development Department
Division of Economic Development
P.O. Box 663
Window Rock, Arizona 86515

**RE: LETTER OF INTENT
REQUEST FOR NEW BUSINESS SITE LEASE FOR
NAVAJO ROUTE 59, CHILCHINBITO, AZ**

Dear Ms. Young:

The purpose of this letter is to express the desire of Red Mesa Trading Co., Inc. ("Red Mesa") to obtain a new business site lease for the proposed development located on Navajo Route 59 in Chilchinbito, Arizona.

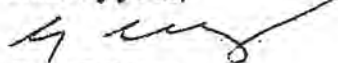
Red Mesa intends to participate with the Navajo Nation in the construction of a convenience store and retail motor fuel facility at the above referenced development. As a part of the convenience store development, Red Mesa intends to offer the following:

- Contract with a national brand to image the convenience store and canopy over the fueling area
- Install fuel dispensers with modern, state-of-the-art video screens, credit card, and mobile pay-at-the-pump options
- Develop a new fast casual food concept in the convenience store
- Construct a self-service laundromat facility connected to the convenience store
- Operate the local U.S. Post Office within the convenience store

As part of the new business site lease, Red Mesa would request a development period of four (4) years without rent in order to recoup the value of Red Mesa's investment in the property.

Red Mesa appreciates the opportunity to expand its operations to serve the Chilchinbito community. If you have any questions or need any additional information, please do not hesitate to contact me. Thank you for your assistance regarding this matter.

Sincerely yours,

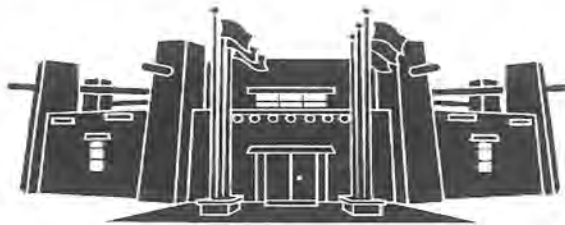


Craig Callaway
President



LICENSED RETAILER

501 Airport Dr., Suite 100 Farmington, NM 87401 | 505.327.5158



MEMORANDUM

To: Hon. Nathaniel Brown, Member
Budget and Finance Committee
24th Navajo Nation Council

From: 
Luralene D. Tapahe, Principal Advocate
Office of Legislative Counsel

Date: March 29, 2022

Subject: **AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; ALLOCATING \$5,000,000 FROM THE SÍHASIN FUND FOR THE CHILCHINBETO CONVENIENCE STORE/FUEL STATION PROJECT; APPROVING THE RELATED EXPENDITURE PLAN PURSUANT TO 12 N.N.C. §2501 – §2508**

Per your request, the Office of Legislative Counsel has prepared the above-referenced proposed legislation and related summary sheet. Based on existing Navajo Nation law and other applicable laws, and upon review of all supporting documents regarding your request that were submitted to OLC, this legislation as drafted is legally sufficient. However, as with any action of government, this legislation may be subject to judicial review in the event of a legal challenge.

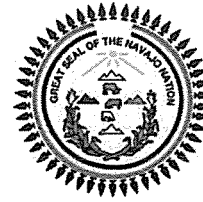
Please review this legislation to make sure it is drafted to your satisfaction, and that all necessary and appropriate supporting documents have been provided and all attached Exhibits are correct.

OLC has reviewed the appropriate standing committees' authorities to consider this legislation, based on the standing committees' powers and responsibilities set forth in Title 2 of the Navajo Nation Code. Based on its review, OLC has listed those committees in the title of this legislation. However, the Speaker may assign this legislation to any committee(s) other than those shown in the title, pursuant to his authority under 2 N.N.C. §164(A)(5).

If you find anything unacceptable, please let me know immediately and advise me of your desired changes. I can be reached at phone no. (928)871-7166 or by email at: LuraleneTapahe@navajo-nsn.gov

Thank you for your cooperation.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0064-22_

SPONSOR: Nathaniel Brown

TITLE: An Act Relating to the Resources and Development, Budget and Finance, and Naabik'íyáti' Committees, and to the Navajo Nation Council; Allocating \$5,000,000 from the Síhasin Fund for the Chilchinbeto Convenience Store/Fuel Station Project; Approving the Related Expenditure Plan Pursuant to 12 N.N.C. § 2501 - § 2508

Date posted: March 30, 2022 at 6:33PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0064-22

SPONSOR: Honorable Nathaniel Brown

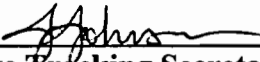
TITLE: An Act Relating to the Resources and Development, Budget and Finance, and Naabik'íyáti' Committees, and to the Navajo Nation Council; Allocating \$5,000,000 from the Síhasin Fund for the Chilchinbeto Convenience Store/Fuel Station Project; Approving the Related Expenditure Plan Pursuant to 12 N.N.C. § 2501 - § 2508

Posted: March 30, 2022 at 6:33 PM

5 DAY Comment Period Ended: April 04, 2022

Digital Comments received:

| | |
|---------------------------------|-------------|
| Comments Supporting | <i>None</i> |
| Comments Opposing | <i>None</i> |
| Comments/Recommendations | <i>None</i> |


**Legislative Tracking Secretary
Office of Legislative Services**

April 05, 2022; 8:38 AM
Date/Time

**RESOURCES AND DEVELOPMENT COMMITTEE
24th NAVAJO NATION COUNCIL**

FOURTH YEAR 2022

COMMITTEE REPORT

Mr. Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

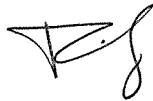
LEGISLATION #0064-22: AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; ALLOCATING \$5,000,000 FROM THE SÍHASIN FUND FOR THE CHİŁCHINBETO CONVENIENCE STORE/FUEL STATION PROJECT; APPROVING THE RELATED EXPENDITURE PLAN PURSUANT TO 12 N.N.C. § 2501 - § 2508.

Sponsor: Honorable Nathaniel Brown

Has had it under consideration and reports a **DO PASS** with no amendments.

And thereafter the legislation was referred to the Budget and Finance Committee.

Respectfully submitted,



Rickie Nez, *Chairperson*
Resources and Development Committee of
the 24th Navajo Nation Council

Date: April 13, 2022 – Regular Meeting (Teleconference)

Location: Resources and Development Committee also called in via teleconference from their location within the boundary of the Navajo Nation.

Main Motion:

M: Herman M. Daniels

S: Kee Allen Begay, Jr.

V: 5-0-1 (CNV)

In Favor: Thomas Walker, Jr.; Kee Allen Begay, Jr.; Herman M. Daniels; Mark A. Freeland; Wilson C. Stewart, Jr.

Opposition: None

Excuse: None

Not Voting: Rickie Nez, *Chairperson*

(NOTE: VOTE TALLY attached hereto)

**RESOURCES AND DEVELOPMENT COMMITTEE
24th NAVAJO NATION COUNCIL**

FOURTH YEAR 2022

**ROLL CALL
VOTE TALLY SHEET**

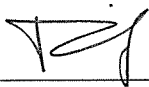
LEGISLATION #0064-22: AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; ALLOCATING \$5,000,000 FROM THE SÍHASIN FUND FOR THE CHILCHINBETO CONVENIENCE STORE/FUEL STATION PROJECT; APPROVING THE RELATED EXPENDITURE PLAN PURSUANT TO 12 N.N.C. § 2501 - § 2508.

Sponsor: Honorable Nathaniel Brown

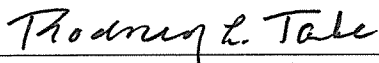
Date: April 13, 2022 – Regular Meeting (Teleconference)
Location: Resources and Development Committee also called in via teleconference from their location within the boundary of the Navajo Nation.

Main Motion:

M: Herman M. Daniels **S:** Kee Allen Begay, Jr. **V:** 5-0-1 (CNV)
In Favor: Thomas Walker, Jr.; Kee Allen Begay, Jr.; Herman M. Daniels; Mark A. Freeland;
Wilson C. Stewart, Jr.
Opposition: None
Excuse: None
Not Voting: Rickie Nez, *Chairperson*



Honorable Rickie, *Chairperson*
Resources and Development Committee



Rodney L. Take, *Legislative Advisor*
Office of Legislative Services

24th NAVAJO NATION COUNCIL

Fourth Year 2022

Mr. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned

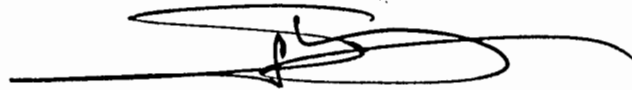
NAVAJO LEGISLATIVE BILL # 0064-22:

An Act Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Allocating \$5,000,000 from the Síhasin Fund for the Chł́chinbeto Convenience Store/Fuel Station Project; Approving the Related Expenditure Plan Pursuant to 12 N.N.C. § 2501 - § 2508 *Sponsored by Nathaniel Brown, Council Delegate*


has had it under consideration and reports the same with the recommendation that It **Do Pass** without amendment.

And, therefore referred to the **NAABIKIYATI** Committee

Respectfully submitted,



Jamie Henio, Chairman

Adopted:  Not Adopted: _____
Legislative Advisor Legislative Advisor

3 May 2022

The vote was **5** in favor **0** opposed yeas: *Raymond Smith, Jr., Jimmy Yellowhair, Amber K. Crotty, Nathaniel Brown, Elmer P. Begay*
Main Motion: *Jimmy Yellowhair*
Second: *Nathaniel Brown*

BUDGET AND FINANCE COMMITTEE

3 May 2022

Regular Meeting

VOTE TALLY SHEET:

Legislation No. 0064-22: An Act Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Allocating \$5,000,000 from the Sihasin Fund for the Chilchinbeto Convenience Store/Fuel Station Project; Approving the Related Expenditure Plan Pursuant to 12 N.N.C. § 2501 - § 2508 *Sponsored by Nathaniel Brown, Council Delegate*

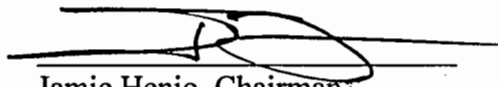
Motion: Jimmy Yellowhair

Second: Nathaniel Brown

Vote: 5-0, Chairman not voting

Final Vote Tally:

| | | |
|-------------------|-----|--|
| Jamie Henio | | |
| Raymond Smith Jr. | yea | |
| Elmer P. Begay | yea | |
| Nathaniel Brown | yea | |
| Amber K. Crotty | yea | |
| Jimmy Yellowhair | yea | |



Jamie Henio, Chairman
Budget & Finance Committee

Peggy Nakai, Legislative Advisor
Budget & Finance Committee